

City Council Introduction: Monday, April 6, 1998
Public Hearing: Monday, April 13, 1998, 1:30 p.m.

Bill No. 98-52

FACTSHEET

TITLE: COMPREHENSIVE PLAN CONFORMITY NO. 97010, requested by the City Urban Development Department, to declare the remaining portion of Lots 226-229, Ridgeview Addition, except the north 10 feet of said lots, as surplus property, generally located at No. 5th & Adams Streets.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission

Public Hearing: 03/25/98

Administrative Action: 03/25/98

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan.

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (7-0: Magruder, Bayer, Bleed, Duvall, Heier, Hopkins and Schwinn voting 'yes'; Steward and Wilson absent.)

STAFF PRESENTATION REQUESTED: No.

FINDINGS OF FACT:

1. The Planning staff recommendation to find this declaration of surplus property to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.003, concluding that this parcel could provide for development of more than one lot due to its size, shape and frontage on No. 5th and Adams Streets. However, it is possible to develop the parcel in a manner that would be compatible with the surrounding residential neighborhood. Any sale should be contingent upon R-3 zoning, and retaining the tree screen along the east edge of the property.
2. There was no testimony in support or in opposition.
3. The Planning Commission agreed with the staff recommendation.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 30, 1998

REVIEWED BY: _____

DATE: March 30, 1998

REFERENCE NUMBER: FS\CC\CPC97010/jlw

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Comprehensive Plan Conformance #97010

DATE: March 11, 1998

PROPOSAL: Finding that the declaration of surplus property of the remaining portion of Lots 226-229 , Ridgeview Addition, except the north 10 feet of said lots, generally located at N. 5th and Adams Street, is in conformance with the Comprehensive Plan.

GENERAL INFORMATION:

APPLICANT: Michelle Krupicka,
Housing Rehab and Real Estate Division
City of Lincoln
Urban Development Department
129 S. 10th St.
Lincoln, NE 68508
(402) 441-8617

PURPOSE: To find that the declaration of a parcel of land as surplus is in conformance with the Comprehensive Plan.

LEGAL DESCRIPTION: Lots 226 through 229, Ridgeview Addition, except the north 10 feet of said lots, located in the Southwest Quarter of Section 11, T10N, Range 6 East, Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: P, Public Use

EXISTING LAND USE: Vacant Lot

SURROUNDING LAND USE AND ZONING: Zoned P, Public Use to the north and east; zoned R-2, residential to the south; zoned R-3, residential to the west. Surrounding land uses are city park to the north; I-180 to the east, single family residential to the south, multi-family residential to the southwest, and single family residential to the west.

COMPREHENSIVE PLAN SPECIFICATIONS: The 1994 Lincoln/ Lancaster County Comprehensive Plan designates this area as parks and open space.

ANALYSIS:

1. This parcel is within the I-180 Capitol View Corridor.
2. The Urban Design Commission reviewed the proposal and recommended that the property could be sold as surplus land without adverse impact on the urban design quality of the area **provided** that the tree screen on the east edge of the lot be preserved.
3. The Real Estate Division of the Urban Development Department indicated that federal highway funds were not used to purchase this parcel in conjunction with the development of I-180.
4. The Parks and Recreation Department indicated that no "Land and Water Conservation Funds" were used when the City acquired the parcel.
5. The Parks and Recreation Department views the land as having little recreational potential. The Parks and Recreation Department intends to retain the north 10' of the lots for access to the maintenance building north of the site.
6. The Public Works Department does not require additional easements.
7. This parcel is currently zoned P, public. A change of zone will be necessary before it is sold to and developed by a private party. The abutting area is zoned R-2 and R-3, residential R-3, residential zoning would be appropriate for this parcel if it is sold as surplus property.
8. Access to the property is limited to N. 5th Street.
9. Subdivision of the parcel into 2 developable lots would require waivers of design standards to exceed the 3 to 1 lot width to depth ratio.
10. The parcel can be served by public water and sewer systems.

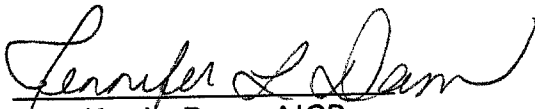
CONCLUSION:

The parcel could provide for development of more than one lot due to its size, shape, and frontage on N. 5th and Adams Streets. However, it is possible to develop the parcel in a manner that would be compatible with the surrounding residential neighborhood. Any sale should be contingent upon R-3 zoning, and retaining the tree screen along the east edge of the property.

STAFF RECOMMENDATION:

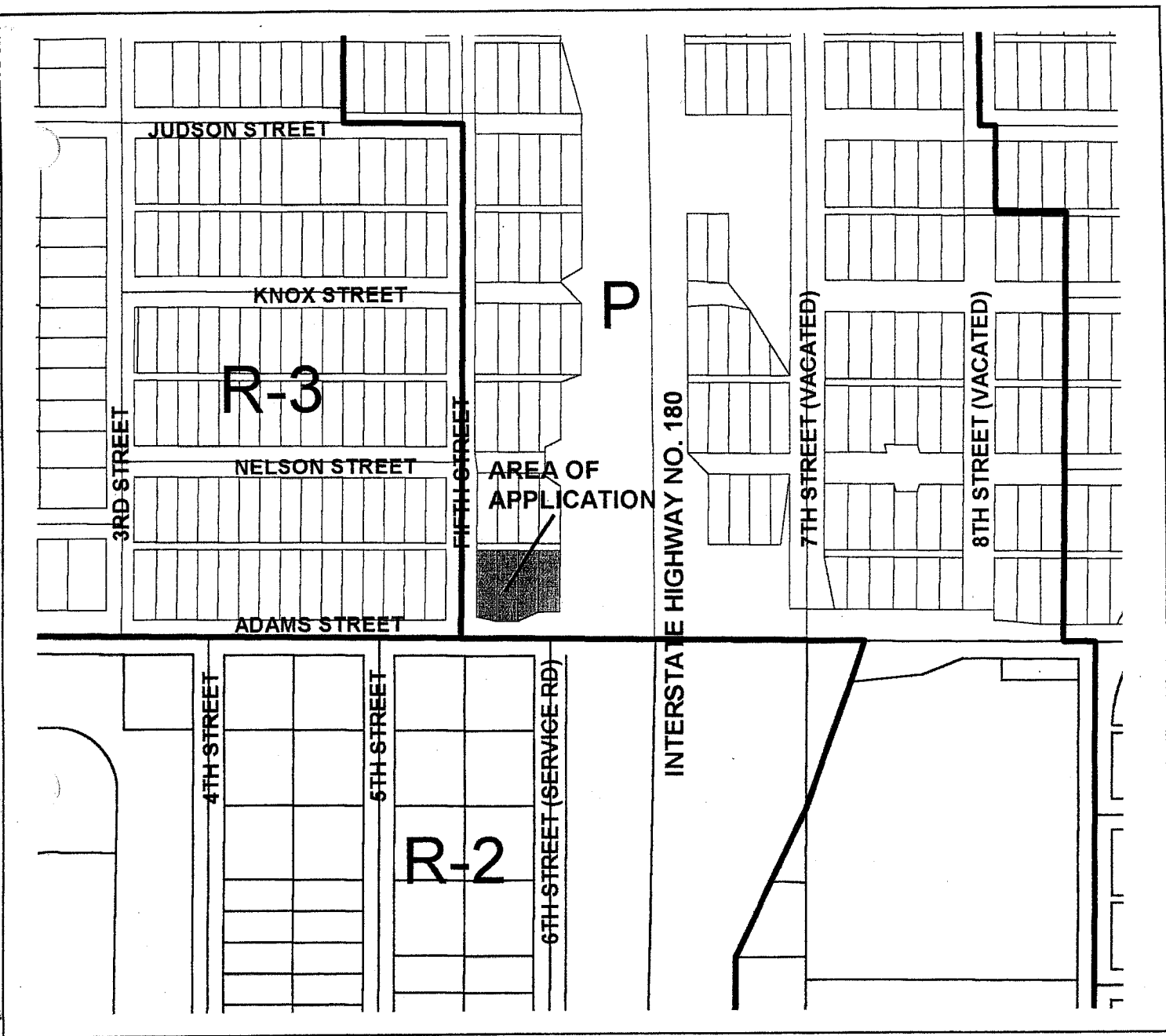
Finding that a declaration of the property as surplus is in conformance with the Comprehensive Plan.

Prepared by:

A handwritten signature in cursive script, appearing to read "Jennifer L. Dam".

Jennifer L. Dam, AICP
Planner II

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CPC 97010
5th & Adams

Zoning:

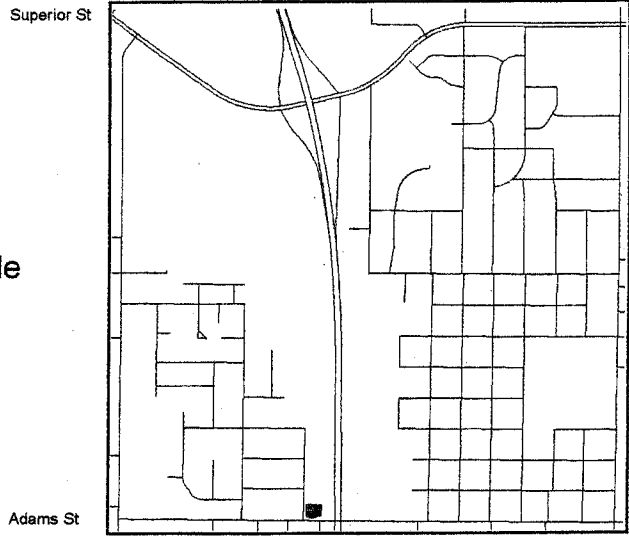
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-4 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 11-10-6



Zoning Jurisdiction Lines

City Limit Jurisdiction,



INTERDEPARTMENTAL COMMUNICATION

TO: Planning Commission

DATE: February 20, 1998

DEPT:

FROM: Urban Design Committee
c/o Ed Zimmer *Ed Zimmer*

CC: Parks & Rec. Dept.
Urban Development Dept./RE Div.
UDC file

DEPT: Planning

RE: Surplus Parcels along I-180

At its meeting of December 3, 1998, the Urban Design Committee received information about and discussed the proposed surplusing of two parcels of public land along I-180.

The following is an excerpt from the minutes of that meeting:

Agenda item #2 - Review of declarations of surplus property of city-owned parcels at N. 7th & Claremont and at N. 5th & Adams.

Ed Zimmer presented slides of the two sites, which the city's Parks & Recreation Department has proposed be identified as surplus, allowing them to be sold. Both sites are adjacent to city parks and both are adjacent to I-180. The north site, at N. 5th & Adams, is zoned "P" (Public Use) and is adjacent to residential areas zoned R-3. The property is platted as four small lots. By current standards, the land could accommodate one single family home and one duplex. The land is separated from the nearby park by the Department's NW District maintenance building and yard. A stand of coniferous and deciduous trees screen the land from the Interstate.

Members reviewed with Lynn Johnson of Parks & Recreation whether the land had recreational potential, and agreed that it did not, unless the maintenance building could be relocated. The slides suggested that residential construction on the site would probably have little effect on the entry experience along I-180, since the road is below the level of the site, and the trees screen it quite thoroughly. Members emphasized that the trees on the east side of the parcel were important to both the motorist's experience on I-180 and to the desirability of the parcel, since they provided a nice separation from the highway.

Members suggested that the N. 5th & Adams parcel could be declared surplus and sold without adverse impact on the urban design of the area, provided that the tree screen on the east edge of the lot be preserved.

The south site at N. 7th and Claremont is adjacent Hayward Park and a new apartment development. Under a Community Unit Plan, the parcel might accommodate twenty or more apartment units. A volunteer tree stand separates that land from the highway. Committee members opined that the parcel contributed little to the visible open space along I-180, and Lynn Johnson indicated it did not appear to have much recreational potential.

Members suggested that the N. 7th and Claremont parcel could be surplused and sold without adverse impact on the urban design quality of the area and the City, and that a landscape buffer between I-180 and future development on the site would enhance the highway and the residential development.

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M E M O

TO: Tim Stewart, Planning

FROM: Clint Thomas, Real Estate *Clint Thomas*

RE: Surplus property: Lots 226, 227, 228, and 229, Ridgeview Addition - 5th and Adams

DATE: October 20, 1997

In response to your concerns as to whether there might have been federal funds associated with the purchase of these lots, I have contacted the Nebraska Department of Roads and asked them to review their records. According to Roger Ripley, the southern portion of Lots 226 - 229, Ridgeview Addition, was condemned for additional Adams Street right-of-way in conjunction with the I-180-9(34) project. This is the portion of the lots shown on our half-sectional plats as Adams Street right-of-way and is the acquisition which created the irregular property line along the south end of the lots. It also included the west 5 feet of Lot 226 which became North 5th Street right-of-way. Since that was the only portion of right-of-way shown on their project plans, he is confident that it is the only portion of the lots which contain federal monies in the acquisition. Those portions are to be retained by the City. I was told neither the Department of Roads nor FHWA would have any interest in the sale of the remaining portions of the lots.

Accompanying this memo is a copy of a memo from Lynn Johnson of our Parks and Recreation Department, who indicates there were no "Land and Water Conservation Funds" in the acquisition of this property.

If this satisfies your concerns, we are requesting this property be declared surplus and submitted for placement on the Planning Commission agenda. As the property is currently zoned "P" Public, a change of zone will also be necessary. Also included are copies of responses from other City departments and public agencies requested in accordance with surplus property disposition procedures.

cc: Jim Morgan

Attachments

INTER-DEPARTMENT COMMUNICATION

DATE: May 5, 1997

TO: Michelle Krupicka - Real Estate

FROM: Robert Moxham - Public Works *RAW*

SUBJECT: Surplus Property - Lots 226 thru 229, Ridgeview Add.

COPIES TO:

Access to this property should be limited to 5th Street.

This Department has no need to retain easements. We have no objection to the surplus of this property.

This property is abutting City sanitary sewer and water mains located in both Adams Street and in 5th Street.

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cc: Jim Morgan

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Memorandum

October 9, 1997

TO: Clint Thomas and Michelle Krupicka, Real Estate
by facsimile

FR: Lynn Johnson, Parks and Recreation *Lynn*

RE: Parcels proposed to be surplusd

The purpose of this memo is to provide you with information relative to the expenditure of federal funds on two properties proposed to be surplusd.

A caretaker's residence was located on the property located northeasterly of the intersection of 5th Street and Adams Street (Lots 226 through 229 of Ridgeview Addition). The house has been razed and only the garage currently remains. There have not been improvements for recreation use developed on the property. Department records indicate that Land and Water Conservation Funds were not utilized in acquisition of the property.

Facilities for recreation use have not been constructed on the property located at the western terminus of vacated Claremont Avenue (Lot 54 I.T.). Department records indicate that Land and Water Conservation Funds were not utilized in acquisition of the property.

Please phone me at 1-8255 with questions or comments. Thanks for your assistance.

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interoffice

MEMORANDUM

Michelle

to: Steve Hanks, Lincoln Electric System
from: Michelle Krupicka, Housing Rehab and Real Estate Division
subject: Declaration of Surplus Property - Lots 226-229, Ridgeview Addition
date: March 28, 1997

This office has received a request from the Parks Department to declare surplus Lots 226, 227, 228 and 229, Ridgeview Addition. These lots are located at the northeast corner of the intersection of 5th and Adams Street at the southerly end of Max E. Roper Park West. Parks Department staff have determined that it is of limited recreation value because it is cut off from the remainder of the park by the NW District maintenance shop site.

Please respond in 30 days or less as to any comments or objections your department may have regarding these four lots. If we have not received a response during this time period, we will assume you have no objections.

Attachment

Michelle:

LES has no need for additional easements
4-4-97
Garry S.

**COMPREHENSIVE PLAN CONFORMITY NO. 97010
DECLARATION OF SURPLUS PROPERTY**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 25, 1998

Members present: Bayer, Bleed, Heier, Hopkins, Magruder, Duvall and Schwinn;
Wilson and Steward absent.

Planning staff recommendation: A finding of conformance with the Comprehensive Plan.

There was no testimony in support nor in opposition.

Public hearing was closed.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

March 25, 1998

Bleed moved approval of the Planning staff recommendation, seconded by Schwinn and carried 7-0: Bayer, Bleed, Heier, Hopkins, Magruder, Duvall and Schwinn voting 'yes'; Wilson and Steward absent.